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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,825	12/28/2001	Kimihito Yamasaki	4074-2	5543

7590 02/10/2005

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EXAMINER

TRAN, MAI T

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/028,825	YAMASAKI ET AL.	
	Examiner	Art Unit	
	Mai T. Tran	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/28/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is responsive to application 10/028825, filed December 28, 2001.

Claims **1-9** have been examined.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim **8** is rejected under 35 U.S.C. 101 because the claim is directed to non-statutory subject matter as not being tangibly embodied in a media that is fixed. The claim as written may be embodied in a wave which is not a fixed median.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims ⁸1-7 and claim ¹9 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuzaki et al (U.S. 5,357,439), hereinafter Matsuzaki.

Claim 1

A managing method for ordering a composite apparatus formed by composing a plurality of units through an ordering apparatus and for managing said ordered composite apparatus, comprising the steps of:

causing said ordering apparatus to receive unit information for specifying units constituting a composite apparatus (col. 1, lines 62-65) and create composite state information for specifying a composite state of units based on the received unit information (col. 2, lines 10-15), according to a predetermined rule (col. 16, lines 49-56);

causing said composite apparatus to recognize unit information for specifying units to be composed itself and create composite state information for specifying a composite state of units based on the recognized unit information (col. 2, lines 10-15), according to the same rule as said rule (col. 16, lines 49-56); and

comparing the composite state information created by said ordering apparatus and the composite state information created by said composite apparatus (col. 3, lines 14-19).

Claim 2

A managing system comprising an ordering apparatus and a composite apparatus formed by composing a plurality of units, for ordering said composite apparatus through said ordering apparatus and for managing said ordered composite apparatus, wherein said ordering apparatus comprises:

means for receiving unit information for specifying units constituting a composite apparatus (col. 1, lines 62-65); and

first creating means for creating composite state information for specifying a composite state of units based on the received unit information (col. 2, lines 10-15), according to a predetermined rule (col. 16, lines 49-56), and said composite apparatus comprises:

means for recognizing unit information for specifying units to be composed itself (col. 2, lines 10-15); and

second creating means for creating composite state information for specifying a composite state of units based on the recognized unit information (col. 2, lines 10-15), according to the same rule as said rule (col. 16, lines 49-56).

Claim 3

The managing system as set forth in Claim 2, wherein said ordering apparatus further comprises storing means for storing the composite state information created by said first creating means in association with composite apparatus information for specifying the composite apparatus (col. 7, lines 2-7).

Claim 4

The managing system as set forth in Claim 3, wherein
said ordering apparatus and said composite apparatus are connected through a communication network (col. 5, lines 58-61),
said composite apparatus further comprises means for transmitting the composite state information created by said second creating means to said ordering apparatus (col. 3, lines 7-11), and

said ordering apparatus further comprises means for comparing the transmitted composite state information and the composite state information corresponding to the composite apparatus information stored by said storing means (col. 3, lines 14-19).

Claim 5

The managing system as set forth in Claim 2, further comprising a managing apparatus, connected to said ordering apparatus and said composite apparatus through a communication network, for managing said composite apparatus, wherein

said ordering apparatus further comprises means for transmitting the composite state information created by said first creating means and composite apparatus information for specifying the composite apparatus to said managing apparatus (col. 5, lines 58-64),

said composite apparatus further comprises means for transmitting the composite state information created by said second creating means to said managing apparatus (col. 5, lines 58-64), and

said managing apparatus further comprises means for comparing the composite state information transmitted from said ordering apparatus and the composite state information transmitted from said composite apparatus (col. 3, lines 14-19).

Claim 6

A composite apparatus formed by composing a plurality of units, comprising:

means for recognizing unit information for specifying units to be composed (col. 2, lines 10-15):

means for creating composite state information for specifying a composite state of units based on the recognized unit information (col. 2, lines 10-15), according to a predetermined rule (col. 16, lines 49-56); and

means for outputting the created composite state information to exterior (col. 1 line 68, col. 2 line 1).

Claim 7

An ordering apparatus for ordering a composite apparatus formed by composing a plurality of units, comprising:

means for receiving unit information for specifying units constituting a composite apparatus (col. 1, lines 62-65);

means for creating composite state information for specifying a composite state of units based on the received unit information (col. 2, lines 10-15), according to a predetermined rule (col. 16, lines 49-56); and

means for storing the created composite state information in association with composite apparatus information for specifying the composite apparatus (col. 7, lines 2-7); and

means for comparing composite state information transmitted from exterior and created according to the same rule as said rule and the composite state information corresponding to the composite apparatus information stored by said storing means (col. 3, lines 14-19).

Claim 8

A computer program for ordering a composite apparatus formed by composing a plurality of units, comprising the steps of:

causing a computer to receive unit information for specifying units constituting a composite apparatus (col. 1, lines 62-65);

causing a computer to create composite state information for specifying a composite state of units based on the received unit information (col. 2, lines 10-15), according to a predetermined rule (col. 16, lines 49-56);

causing a computer to store the created composite state information in association with composite apparatus information for specifying the composite apparatus (col. 7, lines 2-7); and

causing a computer to compare composite state information (col. 3, lines 14-19) transmitted from exterior (col. 5, lines 58-64) and created according to the same rule as said rule and the composite state information corresponding to the composite apparatus information stored in said step for storing (col. 7, lines 2-7).

Claim 9

A memory product readable by computers and storing therein a computer program for ordering a composite apparatus formed by composing a plurality of units, including:

computer readable code means to cause a computer for receiving unit information for specifying units constituting a composite apparatus (col. 1, lines 62-65); Examiner interprets computer readable code means as product steps.

computer readable code means to cause a computer for creating composite state information for specifying a composite state of units based on the received unit information (col. 2, lines 10-15), according to a predetermined rule (col. 16, lines 49-56);

computer readable code means to cause a computer for storing the created composite state information in association with composite apparatus information for specifying the composite apparatus (col. 7, lines 2-7); and

computer readable code means to cause a computer for comparing composite state information (col. 3, lines 14-19) transmitted from exterior (col. 5, lines 58-64) and created according to the same rule as said rule and said stored composite state information corresponding to the composite apparatus information (col. 2, lines 10-15).

Conclusion

The following is prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

1. Abraham et al, U. S. Patent No. 5,570,292
2. Petrovich et al, U.S. Patent No. 6,101,483
3. Freeman et al, U.S. Patent No. 6,134,557
4. Callahan et al, U.S. PG Pub. 2002/0023046
5. Intelligent agent platform for procurement, K. Subramanian, S. Lee, Tey Kar Shiang, Gan Beng Sue, Systems, Man, and Cybernetics, 1999. IEEE International Conference, volume 3, 12-15 Oct. 1999, pages 107-112.

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mai T. Tran whose telephone number is (571) 272-4238. The examiner can normally be reached on M-F 9:00am-- 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.T.T
Patent Examiner
Date: 2/4/2005



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